

October 25, 2013

To: Executive Board

Subject: **Contract Extension — Special Legal Services**

Recommendations

Authorize the Executive Director to execute an amendment to Contract 07-017 for legal services with Thompson Coburn LLC, Attorneys at Law, revising the fee structure and extending the contract for an additional five years.

Analysis

On September 22, 2006, the Executive Board authorized the Executive Director to enter into a three-year contract with Thompson Coburn for specialized legal services. Amendment No. 1 to the Agreement was adopted approved by the Executive Board on March 27, 2009, to extend the expiration date and adjust the fee schedule.

Mr. Kent Woodman of Thompson Coburn has requested that the existing agreement be extended for an additional five-year term. The proposed amendment is for a contract term extension only; and that a new fee structure also be approved. Exhibit A to the contract, the new fee schedule, is attached.

Thompson Coburn has been supplying specialized legal services to Foothill Transit since July 2001, and attorneys Ed Gill and Kent Woodman have a long history working with Foothill Transit. Prior to their tenure with Thompson Coburn, Messrs. Woodman and Gill served with Eckert Seamans as Special Legal Counsel to Foothill Transit and in fact both have been associated with Foothill Transit since the organization's initial provision of service in 1988. This experience provides them with the unique experience and history to provide counsel on projects such as the West Covina Park and Ride, Industry Park and Ride, the current NABI bus procurement, as well as other current Foothill Transit initiatives. Any other provider of legal counsel would not have this valuable historical knowledge of Foothill Transit.

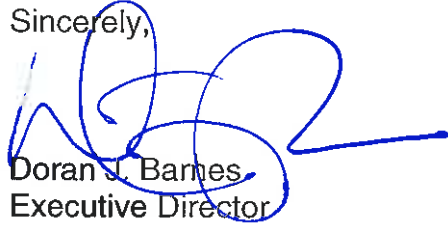
It would require substantial time and considerable expense to Foothill Transit to recruit and educate new counsel to serve the agency, and their unique capabilities and experience would be difficult to replace. Accordingly, staff has concluded that this contract is appropriate for extension on a sole source basis.

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Fiscal Impact

Required funding is included in Foothill Transit's FY 2014 Business Plan and will be included in the proposed FY 2015 Business Plan.

Sincerely,



Doran J. Barnes
Executive Director

EXHIBIT A
FEE SCHEDULE

CURRENT YEAR

<u>Fiscal Year 2013/14</u>	<u>Rate/Hour</u>
G. Kent Woodman	\$470
Edward Gill, Jane Starke, Tony Anderson	\$445
Associates	\$270
Paralegals	\$160

EXTENSION YEARS

<u>Fiscal Year 2014/15</u>	<u>Rate/Hour</u>
G. Kent Woodman	\$475
Edward Gill, Jane Starke, Tony Anderson	\$460
Kathleen Kraft	\$340
Associates	\$280
Paralegals	\$170

<u>Fiscal Year 2015/16</u>	<u>Rate/Hour</u>
G. Kent Woodman	\$480
Jane Starke, Tony Anderson	\$470
Kathleen Kraft	\$360
Associates	\$290
Paralegals	\$180

<u>Fiscal Year 2016/17</u>	<u>Rate/Hour</u>
G. Kent Woodman	\$490
Jane Starke, Tony Anderson	\$480
Kathleen Kraft	\$370
Associates	\$300
Paralegals	\$185

<u>Fiscal Year 2017/18</u>	<u>Rate/Hour</u>
G. Kent Woodman	\$505
Jane Starke, Tony Anderson	\$495
Kathleen Kraft	\$390
Associates	\$310
Paralegals	\$190

<u>Fiscal Year 2018/19</u>	<u>Rate/Hour</u>
G. Kent Woodman	\$515
Jane Starke, Tony Anderson	\$505
Kathleen Kraft	\$410
Associates	\$320
Paralegals	\$210

Based on Foothill Transit's fiscal years — July 1 – June 30